

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>TRAXCELL TECHNOLOGIES, LLC.,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 2:18-cv-354</b>
<b>v.</b>	)	
	)	
<b>HUAWEI TECHNOLOGIES USA, INC.,</b>	)	
<b>ET AL.,</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Defendants.</b>	)	

**PLAINTIFF'S MOTION TO DISMISS THE ACTION AGAINST CERTAIN  
DEFENDANT HUAWEI ENTITIES WITHOUT PREJUDICE**

Plaintiff Traxcell Technologies, LLC files this Motion to Dismiss the action against  
Defendants:

1. Futurewei Technologies Inc., without prejudice;
2. Huawei Investment & Holding Co., without prejudice;
3. Huawei Device (Hong Kong) Co., Ltd., without prejudice; and,
4. Huawei Technologies Cooperatief U.A., without prejudice,

Each have not yet answered. This motion does not affect the actions against the other named  
Defendants in Plaintiff's First Amended Complaint.

**CONCLUSION**

Plaintiff requests that the action against Futurewei Technologies Inc.; Huawei Investment  
& Holding Co.; Huawei Device (Hong Kong) Co., Ltd.; and, Huawei Technologies Cooperatief  
U.A., each be dismissed without prejudice.

Respectfully submitted,

**Ramey & Schwaller, LLP**

By: /s/ William P. Ramey, III  
William P. Ramey, III  
Texas Bar No. 24027643  
5020 Montrose Blvd., Suite 750  
Houston, Texas 77006  
Telephone: (713) 426-3923  
Facsimile: (832) 900-4941  
wramey@rameyfirm.com

**Hicks Thomas, LLP**

John B. Thomas (Co-Counsel)  
Texas Bar No. 19856150  
700 Louisiana Street, Suite 2000  
Houston, Texas 77002  
Telephone: (713) 547-9100  
Facsimile: (713) 547-9150  
jthomas@hicks-thomas.com

**Attorneys for Traxcell Technologies, LLC**

**CERTIFICATE OF CONFERENCE**

I certify that counsel for Defendant agreed to the filing of this motion on September 18, 2018.

/s/ William P. Ramey, III  
William P. Ramey, III

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that all counsel of record who have appeared in this case are being served on this day of September 21, 2018 with a copy of the foregoing via the Court's CM/ECF system.

/s/ William P. Ramey, III  
William P. Ramey, III